

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT LEWIS,

Plaintiff,

- against -

THE CITY OF NEW YORK,

Defendant.

24-CV-2336 (AT) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

On June 17, 2024, Defendant filed a motion to dismiss the complaint. (See Dkt. 17.) Pursuant to the Court’s scheduling order at Dkt. 16, Plaintiff’s opposition was due by July 29, 2024. No opposition was filed. On September 3, 2024, the Court sua sponte extended Plaintiff’s time to file any opposition until September 30, 2024. (See Dkt. 22.) The Court warned: “If Plaintiff does not file any opposition by September 30, 2024, the Court will deem the motion fully submitted and resolve the motion based on the record as it stands. Additionally, Plaintiff’s failure to submit any opposition may be grounds alone for denying the motion.” Reference to “denying” the motion was in error. Rather, the statement should read “failure to submit any opposition may be grounds alone for ***granting*** the motion.”

Accordingly, the Court sua sponte extends Plaintiff's time to respond for a final time to November 18, 2024. If Plaintiff does not file any opposition by November 18, 2024, the Court will deem the motion fully submitted and resolve the motion based on the record as it stands. Additionally, Plaintiff's failure to submit any opposition may be

grounds alone for granting the motion and dismissing Plaintiff's case due to Plaintiff's failure to prosecute.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: October 28, 2024
New York, New York

Copies transmitted this date to all counsel of record. The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiff:

Robert Lewis
724 Saint Nicholas Ave
New York, New York 10031